

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

AKILAH CRIBBS)	Case No.:
)	
Plaintiff,)	COMPLAINT
)	
vs.)	AND
)	
QUALITY ASSET RECOVERY, LLC)	JURY DEMAND
)	
Defendant.)	

Plaintiff, Akilah Cribbs, (hereinafter “Plaintiff” or “Cribbs”), by and through her undersigned attorney, alleges against Quality Asset Recovery, LLC. (hereinafter “Defendant”) as follows:

PRELIMINARY STATEMENT

1. This is an action for damages arising from Defendant’s violations of 15 U.S.C. § 1692, *et seq.*, the Fair Debt Collection Practices Act (hereinafter “FDCPA”), a strict liability statute which prohibits debt collectors from engaging in abusive, deceptive and unfair practices.

JURISDICTION AND VENUE

2. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1331 and 15 U.S.C. §1692k(d).
3. Venue is proper in this district under 28 U.S.C § 1391(b).

PARTIES

4. Plaintiff is a natural person, who at all relevant times has resided in Willingboro, New Jersey and is a “consumer” as defined by 15 U.S.C. § 1692a(3).

5. Defendant is a business entity located in Gibbsboro, New Jersey, and is a “debt collector” as defined by 15 U.S.C § 1692a(6). Defendant also uses the instrumentalities of interstate commerce or the mails in a business the principle purpose of which is the collection of debts and/or regularly collects or attempts to collect debts owed or asserted to be owed to another.

FACTUAL STATEMENT

6. In October 2016, Plaintiff ran and reviewed a copy of her credit report. Upon review, Plaintiff noticed a tradeline furnished by Defendant for “Medical.” The date reported was October 2016.

7. The Defendant’s trade line listed, *inter alia*, alleged balances due and owing of \$185.00 for medical debt, which would be for personal, family or household purposes.

8. Plaintiff sent a letter to Defendant, dated December 8, 2016, via facsimile, to the Defendant, disputing the charge and demanding verification. A fax confirmation indicated receipt by Defendant on the same date.

9. Plaintiff did not receive verification of the debt so she ran a second credit report on March 30, 2017. The second credit report revealed that the date reported had been updated to March 2017 but still contained the trade line furnished by Defendant, and failed to mark the tradeline as disputed.

10. As a result of the foregoing, Plaintiff’s credit score(s) has been deflated, and she has been damaged and is entitled to relief.

COUNT I
VIOLATIONS OF THE FAIR DEBT COLLECTIONS PRACTICES ACT
15 U.S.C. §1692e(8)

11. Plaintiff repeats and realleges the prior allegations as if set forth specifically herein.

12. By failing to remove the trade line and/or mark same as disputed, Plaintiff's credit score is artificially deflated.

13. Defendant's actions/inactions violate 15 U.S.C. §1692e (8), in that they have failed to communicate that the debts they reported are disputed and have communicated information which is known, or which they should know, is false.

14. As a result, Plaintiff has been damaged and is entitled to relief.

JURY TRIAL DEMAND

Plaintiff demands a trial by jury on all issues so triable.

RELIEF

WHEREFORE, Plaintiff requests that this Court enter judgment against the Defendant as follows:

- A. Declaring the Defendant's actions, as described above, in violation of the FDCPA;
- B. For statutory and/or actual damages, pursuant to 15 U.S.C. § 1692k(a)(1) and 15 U.S.C. §1692k(a)(2)(A);
- C. For costs and reasonable attorneys' fees, pursuant to 15 U.S.C. § 1692k(a)(3);
- D. Enjoining Defendant from further violations of 15 U.S.C. §1692g, *et seq.*
- E. For such other and further relief as may be just and proper.

Date: May 12, 2017

Respectfully Submitted,

s/ Richard Chusid

Richard Chusid, Esq. (Bar #024171981)
Law Offices of Michael Lupolover, P.C.
120 Sylvan Avenue, Suite 303
Englewood Cliffs, NJ 07632
Telephone: 201-461-0059
Email: rc@lupoloverlaw.com
Attorney for Plaintiff